

Oakland, CA

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

CLEAR CHANNEL OUTDOOR, INC.
Employer

and

Case 32-RC-139395

CONSTRUCTION AND GENERAL
LABORERS LOCAL 304, LABORERS'
INTERNATIONAL UNION OF NORTH
AMERICA, AFL-CIO, AND THE
NORTHERN CALIFORNIA
DISTRICT COUNCIL OF LABORERS
Petitioner

and

TEAMSTERS LOCAL 853, INTERNATIONAL
BROTHERHOOD OF TEAMSTERS
Intervenor

DECISION AND CERTIFICATION OF REPRESENTATIVE

The National Labor Relations Board, by a three-member panel, has considered objections to an election held on November 21, 2014, and the Regional Director's report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 10 votes for the Petitioner, no votes for the Intervenor, no votes against the participating labor organizations, and no challenged ballots.

The Board has reviewed the record in light of the exceptions and briefs, has adopted the Regional Director's findings and recommendations, and finds that a certification of representative should be issued.¹

¹ We note that the Region conducted a full investigation based on the information in an affidavit provided by the Employer, including relying on the Region's investigation of allegations in the same affidavit filed in the related Case 32-CB-140956 (withdrawn by the Employer on January 16, 2015). In that case, the Region found no employee witnesses who would corroborate the assertions in the hearsay affidavit. As noted by the Regional Director,

CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that a majority of the valid ballots have been cast for Construction and General Laborers Local 304, Laborers' International Union of North America, AFL-CIO, and the Northern California District Council of Laborers, and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

Included: All full-time and regular part-time rotation/construction employees, including crew chiefs and electricians, employed by the Employer at its facility located at 2857 Hannah Street in Oakland, CA.

Excluded: All employees in units represented by other labor organizations, all other employees, confidential employees, office clerical employees, guards, and supervisors as defined in the Act.

Dated, Washington, D.C., February 25, 2015.

Kent Y. Hirozawa,	Member
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Harry I. Johnson, III,	Member
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Lauren McFerran,	Member
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(SEAL)

NATIONAL LABOR RELATIONS BOARD

aside from the employees named, the affidavit did not identify anyone else, such as the Petitioner's agents allegedly involved in misconduct, and the Employer did not provide any other witness statements.